

**VIA ECF**

September 2, 2024

Honorable Mark T. Pittman  
501 West 10th Street, Room 401  
Fort Worth, Texas 76102-3673

Re: *Public Health & Med. Pros. For Transparency v. Food and Drug Administration*  
*US District Court for the Northern District of Texas; Case No. 4:21-cv-01058-P*  
***Joint letter***

Dear Judge Pittman:

We write on behalf of the parties in the above-referenced action to jointly update the Court following the parties' recent discussions. The parties agree there is a contested issue concerning the adequacy of the search which they have been unable to resolve despite conferring multiple times regarding same. Therefore, we agree that briefing this adequacy of search issue now is appropriate and propose the briefing schedule below. After the Court has ruled on that issue, and processing is completed for any additional records, as applicable, the parties would like to then meet and confer about redactions in dispute, if any, and revert only if necessary to the Court.

We therefore propose the following briefing schedule to address the adequacy of the agency's search:

- Defendant's motion for summary judgment due: October 17
- Plaintiff's cross-motion and response due: November 21
- Defendant's reply and response due: December 19
- Plaintiff's reply due: January 16

If there are any other issues the Court would like the parties to address prior to the scheduled status conference, or if the Court intends to cancel the conference in light of the foregoing, the parties welcome addressing those issues and respectfully request advanced notice of same. Thank you for your consideration.

Very truly yours,

/s/ Andrew F. Freidah  
Andrew F. Freidah  
Trial Attorney  
United States Department of Justice  
Civil Division  
1100 L Street NW  
Washington, D.C. 20005  
(202) 305-0879  
[andrew.f.freidah@usdoj.gov](mailto:andrew.f.freidah@usdoj.gov)

*Attorney for Defendant*

/s/Elizabeth A. Brehm  
Elizabeth A. Brehm  
745 Fifth Avenue, Suite 500  
New York, NY 10151  
(888) 747-4529  
[ebrehm@sirillp.com](mailto:ebrehm@sirillp.com)

*Attorney for Plaintiff*